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| | | |
|--|--|---|
| O I DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) | | Attorney Docket Number 50018A |
| JUN 10 2002 PATENT & TRADEMARK OFFICE Declaration Submitted with Initial Filing | | First Named Inventor Pascal |
| COMPLETE IF KNOWN | | |
| Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) | | Application Number 10/087,167 |
| | | Filing Date 03/01/2002 |
| | | Art Unit 1638 |
| | | Examiner Name |

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Control of Gene Expression in Plants

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY) 03/01/2002 as United States Application Number or PCT InternationalApplication Number 10/087,167 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? YES | Certified Copy Attached? NO |
|-------------------------------------|---------|----------------------------------|--------------------------|------------------------------|-----------------------------|
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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DECLARATION — Utility or Design Patent Application

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Name

Address

City

State

ZIP

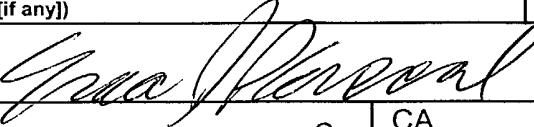
Country

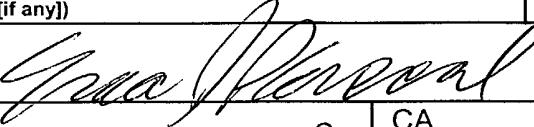
Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR : A petition has been filed for this unsigned inventor

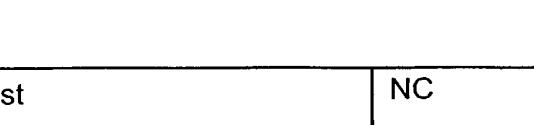
| | | | |
|---|--|---------------------------|--------|
| Given Name (first and middle [if any]) | Erica J.  | Family Name or Surname | Pascal |
|---|--|---------------------------|--------|

| | | | |
|---|--|----------------|--------------------|
| Inventor's Signature |  | | |
| San Diego | CA | USA | USA |
| Residence: City 3115 Merryfield Road | State CA | Country USA | Citizenship USA |

| | | | |
|------------------------------|----|-----|-----|
| Mailing Address San Diego | | | |
| City | CA | ZIP | USA |

NAME OF SECOND INVENTOR: A petition has been filed for this unsigned inventor

| | | | |
|---|----------|---------------------------|-----------|
| Given Name (first and middle [if any]) | Scott A. | Family Name or Surname | Valentine |
|---|----------|---------------------------|-----------|

| | | | |
|---|---|----------------|--------------------|
| Inventor's Signature |  | | |
| Wake Forest | NC | USA | USA |
| Residence: City 3054 Cornwallis Road | State NC | Country USA | Citizenship USA |

| | | | |
|---|----|-----|-----|
| Mailing Address Research Triangle Park | | | |
| City | NC | ZIP | USA |

Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.



DECLARATION

ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1

| | | | | |
|--|-------|---|-------------|---------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | |
| Jeffrey A. | | Brown | | |
| Given Name | | Family Name or Surname | | |
| Inventor's Signature | | | | |
| Durham | NC | USA | Date USA | |
| Residence: City | State | Country | Citizenship | |
| 3054 Cornwallis Road | | | | |
| Mailing Address | | | | |
| Mailing Address | | | | |
| Research Triangle Park | | NC | 27709 | USA |
| City | | State | ZIP | Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | |
| Adam S. | | Cockrell | | |
| Given Name | | Family Name or Surname | | |
| Inventor's Signature | | | | |
| Durham | NC | USA | Date USA | |
| Residence: City | State | Country | Citizenship | |
| 2219 Gablefield Lane | | | | |
| Mailing Address | | | | |
| Mailing Address | | | | |
| Durham | | NC | 27713 | USA |
| City | | State | ZIP | Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | |
| Brian D. | | Johnson | | |
| Given Name | | Family Name or Surname | | |
| Inventor's Signature | | | | |
| Cary | NC | USA | Date USA | |
| Residence: City | State | Country | Citizenship | |
| 3054 Cornwallis Road | | | | |
| Mailing Address | | | | |
| Mailing Address | | | | |
| Research Triangle Park | | NC | 27709 | USA |
| City | | State | ZIP | Country |

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| DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) | | Attorney Docket Number | | 50018A |
| | | First Named Inventor | | Pascal |
| COMPLETE IF KNOWN | | | | |
| Application Number | | 10/087,167 | | |
| Filing Date | | 03/01/2002 | | |
| Art Unit | | 1638 | | |
| Examiner Name | | | | |

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I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Control of Gene Expression in Plants

(Title of the Invention)

the specification of which

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OR

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| | | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |

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[Page 1 of 2]

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DECLARATION — Utility or Design Patent Application

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| Name | | | | | |
| Address | | | | | |
| City | | State | | ZIP | |
| Country | Telephone | | | Fax | |
| <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> | | | | | |
| NAME OF SOLE OR FIRST INVENTOR : | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | |
| Erica J. Given Name (first and middle [if any]) | | Pascal Family Name or Surname | | | |
| Inventor's Signature | | Date | | | |
| San Diego | | CA | USA | USA | |
| Residence: City | State | Country | Citizenship | | |
| 3115 Merryfield Road | | | | | |
| Mailing Address | | | | | |
| San Diego | | CA | 92121 | USA | |
| City | State | ZIP | Country | | |
| NAME OF SECOND INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | |
| Scott A. Given Name (first and middle [if any]) | | Valentine Family Name or Surname | | | |
| Inventor's Signature | | Date 5/2/02 | | | |
| Wake Forest | | NC | USA | USA | |
| Residence: City | State | Country | Citizenship | | |
| 3054 Cornwallis Road | | | | | |
| Mailing Address | | | | | |
| Research Triangle Park | | NC | 27709 | USA | |
| City | State | ZIP | Country | | |
| <input checked="" type="checkbox"/> Additional inventors are being named on the <u>1</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto. | | | | | |



PTO/SB/02A (10-00)

Approved for use through 10/31/2002 OMB 0651-0032
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DECLARATION

ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1

| | | | |
|--|-------------------------------------|---|-------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Jeffrey A. | | Brown | |
| Given Name | | Family Name or Surname | |
| Inventor's Signature | | Date 5/1/02 | |
| Durham | NC | USA | USA |
| Residence: City | State | Country | Citizenship |
| 3054 Cornwallis Road 519 T.11 Oaks Drive JB 5/1/02 | | | |
| Mailing Address | | | |
| Mailing Address | DURHAM 5/1/02 27713 JB 5/1/02 | | |
| Research Triangle Park | NC | 27708 | USA |
| City | State | ZIP | Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Adam S. | | Cockrell | |
| Given Name | | Family Name or Surname | |
| Inventor's Signature | | Date | |
| Durham | NC | USA | USA |
| Residence: City | State | Country | Citizenship |
| 2219 Gablefield Lane | | | |
| Mailing Address | | | |
| Mailing Address | Durham NC 27713 USA | | |
| Durham | State | ZIP | Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Brian D. | | Johnson | |
| Given Name | | Family Name or Surname | |
| Inventor's Signature | | Date 5/1/02 | |
| Cary | NC | USA | USA |
| Residence: City | State | Country | Citizenship |
| 3054 Cornwallis Road | | | |
| Mailing Address | | | |
| Mailing Address | Research Triangle Park NC 27709 USA | | |
| City | State | ZIP | Country |

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| <p style="text-align: center;">DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</p> <p style="text-align: center;">JUN 10 2002</p> <p style="text-align: center;">PATENT & TRADEMARK OFFICE</p> <p><input type="checkbox"/> Declaration Submitted with Initial Filing</p> <p><input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)</p> <p>OR</p> | Attorney Docket Number | 50018A |
| | First Named Inventor | Pascal |
| | COMPLETE IF KNOWN | |
| | Application Number | 10/087,167 |
| | Filing Date | 03/01/2002 |
| | Art Unit | 1638 |
| | Examiner Name | |

As the below named inventor, I hereby declare that:

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(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY)

03/01/2002

as United States Application Number or PCT International

Application Number 10/087,167 and was amended on (MM/DD/YYYY) (if applicable).

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| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? |
|-------------------------------------|---------|----------------------------------|--|--|
| | | | | |
| | | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

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DECLARATION — Utility or Design Patent Application

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Address

City

State

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Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR : A petition has been filed for this unsigned inventor

| | |
|---|---------------------------|
| Given Name (first and middle [if any]) | Pascal |
| Erica J. | Family Name or Surname |

| | |
|-------------------------|-------------|
| Inventor's Signature | Date |
| San Diego | CA |
| Residence: City | USA |
| 3115 Merryfield Road | USA |
| Residence: City | Country |
| San Diego | Citizenship |

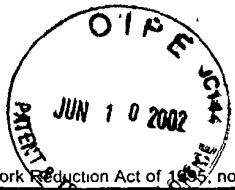
| | |
|-----------------|---------|
| Mailing Address | Date |
| San Diego | CA |
| City | 92121 |
| | USA |
| | Country |

| | |
|---|--|
| NAME OF SECOND INVENTOR: | A petition has been filed for this unsigned inventor |
| Given Name (first and middle [if any]) | Valentine |
| Scott A. | Family Name or Surname |

| | |
|-------------------------|-------------|
| Inventor's Signature | Date |
| Wake Forest | NC |
| Residence: City | USA |
| 3054 Cornwallis Road | USA |
| Residence: City | Country |
| Wake Forest | Citizenship |

| | |
|------------------------|---------|
| Mailing Address | Date |
| Research Triangle Park | NC |
| City | 27709 |
| | USA |
| | Country |

Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.



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DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental Sheet
Page 1 of 1

| | | | |
|--|--|---|--------------------------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Jeffrey A. Given Name | | Brown Family Name or Surname | |
| Inventor's Signature Durham Residence: City | | NC State | USA Country |
| 3054 Cornwallis Road Mailing Address | | Date USA Citizenship | |
| Mailing Address Research Triangle Park City | | NC State | 27709 ZIP USA Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Adam S. Given Name | | Cockrell Family Name or Surname | |
| Inventor's Signature Durham Residence: City | | NC State | USA Country |
| 2219 Gablefield Lane Mailing Address | | Date USA Citizenship | |
| Mailing Address Durham City | | NC State | 27713 ZIP USA Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Brian D. Given Name | | Johnson Family Name or Surname | |
| Inventor's Signature Cary Residence: City | | NC State | USA Country |
| 3054 Cornwallis Road Mailing Address | | Date USA Citizenship | |
| Mailing Address Research Triangle Park City | | NC State | 27709 ZIP USA Country |

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PTO/SB/81 (02-01)

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U S Patent and Trademark Office; U S DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

| | |
|------------------------|----------------------------|
| Application Number | 10/087,167 |
| Filing Date | March 1, 2002 |
| First Named Inventor | Pascal |
| Title | Control of Gene Expression |
| Group Art Unit | 1638 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 50018A |

I hereby appoint:

Practitioners at Customer Number

22847

Place Customer Number Bar Code Label here

OR

Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
| | |
| | |
| | |
| | |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.

OR

Practitioners at Customer Number

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OR

Firm or Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

| | |
|-----------|-----------------|
| Name | Erica J. Pascal |
| Signature | |
| Date | 31/05/102 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of 5 forms are submitted.

Burden Hour Statement. This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Washington, DC 20231



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U.S. Patent and Trademark Office

PTO-SE 51 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

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| First Named Inventor | Pascal |
| Title | Control of Gene Expression |
| Group Art Unit | in Plants |
| Examiner Name | 1638 |
| Attorney Docket Number | Not Yet Assigned |
| | 50018A |

I hereby appoint:

Practitioners at Customer Number

22847

Place Customer Number Bar Code Label here

OR

Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
| | |
| | |
| | |
| | |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.

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Practitioners at Customer Number



Place Customer Number Bar Code Label here

OR

Firm or Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name Scott A. Valentine

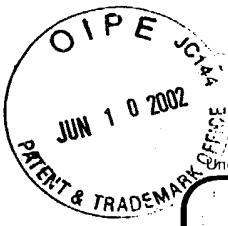
Signature SA Valentine

Date 5/1/02

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Please type a plus sign (+) inside this box → **[+]**

PTO/SB/102-02-01

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| Application Number | 10/087,167 |
| Filing Date | March 1, 2002 |
| First Named Inventor | Pascal |
| Title | Control of Gene Expression in Plants |
| Group Art Unit | 1638 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 50018A |

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Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name Jeffrey A. Brown

Signature J. A. Brown

Date 5/1/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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SIGNATURE of Applicant or Assignee of Record

Name

Adam S. Cockrell

Signature

Date

05-06-02

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SIGNATURE of Applicant or Assignee of Record

| | |
|-----------|------------------|
| Name | Brian D. Johnson |
| Signature | |
| Date | 5/1/02 |

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